No. 641

1920

INQUISITION PAPERS

ON THE BODY OF

James A. Petray

HELD

Date Dec. 10/1920

At Santa Rosa

Sonoma County, California

FILED

DEC 27 1920

W. W. FELT, JR., County Clerk

FRANK H. PHILLIPS

Coroner of Sonoma County

5/30/2012

TRANSCRIPTION NOTE

The text in this document has been painstakingly transcribed word for word as it appears on the microfilm of the original 1920 Coroner's Inquisition into the murders of James A. Petray, Miles M. Jackson, and Lester H. Dorman, and the lynching of the three men held responsible for their murders, Terrance Fitts, George Boyd and Charles Valento.

Because the microfilm of this inquisition is of extremely poor quality, a magnifying microfilm lens was used to print out a magnified copy from which to transcribe. Even then, it was necessary to use a magnifying glass to make out many words and sentences on the magnified copy. But after spending several months arduously deciphering every hard-to-read word, I believe this transcription to be an accurate reproduction of the original Coroner's Inquisition.

You will notice various misspelled words such as "hanf" (hang), "dor" (door), and "cemetary" (cemetery), spelled that way in this transcription because they appear that way in the original Inquisition document. Likewise, incorrect punctuation and some missing words are that way in this transcription because they appear that way in the original Inquisition document as well.

It has been my privilege to bring this historical inquisition to light after it had been hidden away on a reel of microfilm for decades. It presents an amazing glimpse into the past and an eye-opening look at a benchmark in Santa Rosa history.

Respectively,

Sandra Wright Frary

Sandra Wright Frary
Sonoma County Coroner's Office Archivist

STATE OF CALIFORNIA
COUNTY OF SONOMA

In the Matter of the Inquisition upon the Remains of

James A. Petray

Deceased.

WE THE UNDERSIGNED JURORS summoned to appear before FRANK H. PHILLIPS, The Coroner of the County of Sonoma, at Santa Rosa on the 10th day of December, 1920, to inquire into the cause the death of James A. Petray having been duly sworn according to law and having made such inquisition after inspecting the remains and hearing the testimony adduced, upon our oaths each and all we do say:

That we find the deceased was named James A. Petray was a native of California, aged about 55 years; that he came to his death on the 5th day of December 1920, in this county.

DEATH FROM

Came to his death on December 5th 1920, by gun shot wounds in the head and body at the hands of George Boyd who used the revolver belonging to Terrence Fitts and used cartridges furnished by Charles Valenti, both of whom were George Boyd's accomplices

All of which we do certify by this inquisition, in writing, signed by us this 10th day of December 1920.

Walter F. Price. Forman
W. A. Cockrill
Ralph A Tomasco
C R Dibble
George A Proctor
George F King
Ross C Moody
Harley H Smith
L W Burris
Walter H. Nagle
Frank J. McNamara
George P. Henderson
C D Barnett
Wm Steinbring
C. R. Marlow
Joseph Dont
Milton Wasserman
F. M. Cooper

Approved: *Frank H. Phillips* *Coroner.*

STATE OF CALIFORNIA
COUNTY OF SONOMA

In the Matter of the Inquisition

On the Body of James A. Petray

DECEASED, held at Santa Rosa,

Sonoma County, California, on December 10, 1920,

to inquire into the cause of death of said deceased.

I, **Frank H. Phillips**, Coroner, do certify that the following Jurors were duly empanelled according to law:

Walter F. Price	Ralph A. Tomasco	C. R. Marlowe
L.W. Burris	Harley H. Smith	Joseph Dont
C. D. Barnett	F. J. McNamara	Milton Wasserman
Ross C. Moody	F. M. Cooper	Walter H. Nagle
George A. Proctor	C. R. Dibble	William Steinbring
George F. King	Russell L. Wright	W. A. Cockrill

Also the following witnesses were duly sworn and their testimony reduced to writing:

Marvin Robinson	John M. Boyes	George W. Matthews

Whose testimony together with the verdict of the Jury, duly approved by me, and a certificate of death is hereunto annexed.

Frank H. Phillips
Coroner of Sonoma County, California.

BEFORE THE CORONER OF THE COUNTY OF SONOMA,

STATE OF CALIFORNIA.

In the matter of the Inquisition upon the remains of Jas. A. Petray, Miles M. Jackson, Lester H. Dorman, Geo. Boyd, Charles Valento and Terrance Fitts.

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SANTA ROSA, CAL., DECEMBER 10, 1920

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PRESENT:

Dr. Frank H. Phillips, Coroner of Sonoma County.

MR. George W. Hoyle, District Attorney.

H. B. Whitten, Official Reporter.

Members of the Coroner's Jury.

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THE CORONER: Gentlemen, you have viewed the bodies of the parties whose names I called out in Mr. Welti's undertaking establishment --James A. Petray, Miles M. Jackson, Lester Henry Dorman, George Boyd, Charles Valento Terrance Fitts. You have all viewed the bodies. I presume you are well aware why you are here. I expect to hold an inquest on each one of the parties named that I have just called and I expect you gentlemen to do it all. In other words the evidence that we will produce ought to be satisfactory to you and will satisfy you of the cause of death of each of these six persons that I have just mentioned. As I stated before we left Mr. Welti's undertaking establishment you are all business men in the community and your

time is taken up but I expect you to bear with me and try to get along and try to have these inquests held with as much rapidity as possible. I am only going to call a very few witnesses. If it not satisfactory to you, gentlemen, we will call as many witnesses as you wish. I wish to call the Sheriff of the County at the present time and also the Deputy Sheriff. I do not know as you need to have anybody else. If there is anybody that you would prefer to have here outside of John Boyes and Mr. Robinson I would be very pleased to have you mention anybody that you know of now so that I may send for him or them and have them here so you can ask any questions you please.

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Testimony of

MARVIN ROBINSON,

CALLED AS A WITNESS, SWORN:

THE CORONER: Q. What is your full name, please?

A. Marvin Robinson.

Q. Mr. Robinson, you act as what in this county, as an officer?

A. Deputy Sheriff.

Q. You were acquainted with James A. Petray, Miles M. Jackson, Lester Henry Dorman, George Boyd, Charles Valento and Terrance Fitts? You know them, do you? A. I know them by sight.

Q. Yes sir. I would like to have a little of your testimony relative to going down to the Tuscano Hotel or the house adjoining the Tuscano Hotel on Sunday last about 2 o'clock and the circumstances of you going there, your reason for going,

who was with you and what happened.

A. Last Sunday we made arrangements with the detective from San Francisco to come up, we were pretty sure we had located some of this Howard Street gang they were looking for, we had information they were friends of Fitts, and Terry Fitts was staying out here at Cassassa's. So the Sheriff made arrangements to leave the office over there about 1 o'clock or quarter after. It was about half past one when we left there. The Sheriff had his car and with him was Bob Dickson, George Mathews. Miles Jackson and Lester Dorman and myself was in the car that the boys drove up from the city. They left the girls and the policewoman Mrs. O'Connor at the Sheriff's office until we returned. We went out to Cassassa's, searched the place around there and couldn't find the people, found they had been there the night before. So the next place we thought of looking for them would be at the Torino Hotel which is the hotel owned by old man Cassassa and we were supposed to all meet there and search that place. Well the boys got a little bit mixed up; half of them stopped at the Tuscano Hotel and the other three boys were down to the Torino, looked through the Torino Hotel. When I left there we went up to meet the other boys in the Tuscano Hotel and they said they had looked the place through and they had seen no trace of them. So I stepped next door, to Caesar Arighi, who married the Guidotti girl, next door, and they said they had not been there, told me they had stopped there Saturday night, they was not there then. So I impressed very strongly on the young fellow's mind that they were a pretty

hard bunch, if he knew anything about them and it was found out he was trying to harbor them in any way it might cause him a whole lot of trouble. I says, "Now I know they were here, they have been here today and if they are around here I want to know it." He says, "you wouldn't have to climb only over the back fence to find out." So I went by the side of the winery right back of the hotel where there is a grape arbor there. I got back to the fence and I noticed a blonde woman through the window in this house. I went along and come back then and told these here boys that I thought the people we were looking for were in Pete Guidotti's house, which was right down on 7th street, first house back of the hotel, at the place I saw the blonde lady at the window and I was pretty sure the gang must be in there. When we went around the corner Detective Jackson says "Now, we want to guard this house from without as well as within," he says, "three of us will go in, and three of us shall stay outside." He says, "you go and watch the front here." he directed George Mathews to go down where he could watch the side porch and ordered Bob Dickson to the rear of the house. Jackson and Dorman and the Sheriff went to the front door and they knocked at the door, knocked on the door the second time, when Pete Guidotti came to the door. When he came to the door of course he recognized Jim, he spoke to Jim, Jim spoke to Pete and the three men went inside and they shut the door. We waited outside there for practically I guess 10 minutes, couldn't figure whether they was in there or what was going on. whether they was delayed inside or maybe they was not in there

we thought, we thought they probably were talking to Pete, whether they had been there or not. All of a sudden we heard the disastrous shooting -- eight shots very close together. We rushed to the door to get in and as we rushed to the door, this blonde lady and Mrs. Guidotti, and she had a little girl by the arm, came out of the house hollering "They are shooting."

Q. The blonde lady you speak of was the woman you have in jail now? A. Yes sir.

Q. Named what? A. Dorothy Quinlan, I believe. So Mrs. Guidotti says "they are shooting, they are shooting" I says"you get in the clear, because there will be more shooting; you get that youngster and get out of here." Pete come running out. His wife had fallen down with the youngster. I told Pete "You better take care of your wife and get out of here."

Q. Pete who? A. Peter Guidotti. And as I rushed on into the door the first I met was this man Boyd who was in a stooping position right near the feet of Miles Jackson. I had the gun in my hand as I rushed in. I stuck the gun at the man and told him to get his hands up and as he straightened, he started to straighten up, he commenced shaking his hands, he says, "I haven't done nothing. I haven't done nothing." He got his hand about this far up, I saw him reach his hand ahead and I reached in my coat pocket for my cuffs and hit him. He says, "I am shot" I says, "you will get shot if you don't get them hands up higher" he shoves his hands up. So I got my handcuffs on him and felt in his pocket to see if he had a gun. Bob Dickson was there at the time and he started to put the handcuffs

on the other fellows. I turned around and felt in their pocket to see if they had anything. As I turned around I heard Jim groaning. I looked through the door in the kitchen, in this dining room where Jim was lying on the floor. He was groaning. I could see him reaching with his hand.

Q. By "Jim" whom do you mean? A. Jim Petray. My first thought was to see if I could get him to the hospital, if I could save him. I turned him over. As I rolled his face over I could see this other eye was open. I thought there was still life in him and I started to try to pack him to the door. He was a pretty heavy man. I turned around and hollered to this other fellow Fitzgerald, I says, "help me pack him out of here." So he come and took hold of Jim by the shoulders and I took him by the legs and packed him out and put him in the machine and stated for the hospital with him. I went back in the house to get hold of Dorman. I got three Italian boys that was there to help me pack him out. When we got ther to the door to pack him out this fellow Boyd was sinking down, he sank down to his knees, over on one side, and he said "For God's sake, kill me, finish me up." I says, "you will get finished quick enough, don't worry." The other boys took hold and helped me pack Dorman out. As I came back in to take hold of Jackson he was just falling face forward over a chair, and as I pulled him off of the chair why he went down like a beef. It took about five of us to Jackson out of the house. I didn't know who took this fellow Boyd out of the house. Someone took him out.While we were taking these other people out I looked in

the house and saw there was no one else in the house. I looked in the closets and every place. Bob had Fittey and this fellow Valento on the sidewalk. I says, "We better taken them on up to the office"so we put them in the machine, piled in the machine and immediately brought them to the office. While we left them in the office I told Gus and informed him of the sad tragedy. I told him there was a woman mixed up in the case and probably another fellow. I was going back to look for them. I left them and went back down looking for the woman and found her in the telephone booth in the depot and I brought her up to the office. I went back down to the house and looked through the place but couldn't find no trace of anyone else. I spoke to Mrs. Guidotti and asked her if there was anyone else in the house and she says there was not.

Q. Mr. Robinson, you have been at the jail ever since Sunday and have heard a great deal of testimony and a great deal of testimony taken from the persons that you had there. have you not? A. Yes, sir.

Q. You have also done some gum shoeing around town relative to who owned the gun and relative to buying shells and one thing and another, have you not? A. Yes sir.

Q. I would ask you from the evidence that you have gathered who owned this gun that did this killing? A. Terrance Fitts owned the gun.

Q. There is no doubt about that from the evidence gathered?

A. From the evidence gathered, beyond a doubt.

Q. Boyd admitted that? A. Boyd admitted that. Boyd also

admitted he had done the shooting.

Q. And there was a box of shells bought on what day and by whom? A. I can't recall the date. The shells were bought by Valento, so the lady down here at Dam(?) Behmer's place told me. Identified Valento as the man she sold the shells to.

Q. And the shells were bought for that particular gun, were they not? A. 44 Special Smith & Wesson.

Q. A box of shells that you found in one of the grips belonging to Boyd were the shells that were bought by Valento?

A. They were the shells bought by Valento, six shells removed from the box.

Q. Now, Mr. Robinson, you were in the jail this morning about 12 o'clock? A. Yes sir.

Q. I want you to tell the jury just what happened at that time. A. Well, I was pretty tired and I went to bed a little early last night. The telephone rang, a lady said she thought there was some trouble out there near the mosoleum in the cemetary. she thought an officer should come out and investigate. I asked her what was the trouble. She said there were several machines out there and there was a crowd and didn't know that there had been an accident or not. There was no one there to go. I thought probably a couple of machines had collided, and didn't pay very much attention to it, just put the telephone back and went back up stairs. The door bell rang. I come out to see who was at the door bell. There was some fellows there, four men, three men returning from the funeral in San Francisco stepped in there, Mr. Young, Mr.

Mr. MoMin, and Mr. Lattin. Maynard informed me that he thought there was going to be some trouble here tonight. I told him I hoped to God they wouldn't have nothing started like that; everything was getting pretty well shaped up; I thought things were getting pretty well cinched and that they were going to hanf all three for the crime and I hoped they would let the law take its course. I thought it would not be over 10 days until they would all be sentenced to be hung. He says "Well, I will tell you. When I got home tonight from this funeral the people were getting pretty well stirred up and I think", he says, "from what I can gather there is going to be some trouble; so I says, "If there is going to be any trouble I want the chief here himself," so I immediately called up John and told him to come down. He wanted to know what was on; I told him that as near as I could tell and understand that they was anticipating trouble. John said, "all right," he would be down in a few minutes. It was not but a few minutes and the telephone rang again; it was a long distance call and they wanted to know if we anticipated trouble in behalf of the friends of those three ruffians we had in jail. I told them I didn't think so. They said, "You better be prepared, because I think there is a move on foot, their friends are going to come up and take them from your custody." I said, "I hope they don't get that foolish notion in their heads, they would have a great job on hand." Well, they said, "All I want to do is to caution you to prepare you." In a few minutes the telephone rang again; some lady who lives out here above the cemetary said she wished

some officer would come out there, there was getting to be an awful crowd out there, she says, "there is more machines congregating out here, certainly something is going to happen." John come down. I told him. "I think that gang is congregating out here near the cemetary", I told him the telephone had rung a couple of times from there and that the last time I answered they asked to send Mr. Boyes out there. John said he didn't think that was the place to go, he was not going to go out there and while we were talking there he tried to get two of the men that were there, Mr. MoMin and Mr. Lattin to go out and see if that crowd was out there and if they were there he would like to talk to some of the leaders they had and explain things, he thought in a very few minutes he could convince them that they better lay off of this here raid they were anticipating. They came back and they had told him they would be down in half an hour. Their half hour was but a few minutes, when that mob come through the door, come through the door, had guns in their hands. I found myself going through the back end of the hallway, clear back to the back wall.

Q. How many came in? A. Well the house was packed, I couldn't tell you.

Q. How were these men dressed that came in? A. They were masked and well armed, nearly every one had a gun in his hand. One fellow had a fire pot of some kind, brass torch in his hand about 40 of them had rifles. As they come in the door there was two of them grabbed me and they rushed me back to that back door. They said "open that door", I said " I got no key

to open it. They said, "you are the chief deputy in here, you got a key, open that door". I says, "I haven't got one. I haven't got thekey to do it with". They searched me. They said "you know where them keys are." I says"I do not." They said"what do you do with your keys". I says, "the sheriff took my key tonight as he has been doing every night since this trouble Sunday night, he has taken up our keys." They said, "he must know where they are"; I says, "I don't know; I know he took them up. I don't know nothing about it". While they had me back there one fellow was trying -- he said he would shoot the lock right out with a rile. Another husky fellow come. He says", "give me room." When he came there he had a key and opened the door. He immediately went to the insane ward where we had been keeping this sick man and where I still supposed he was, but he was moved last night and I didn't know anything about it. They went in there. The fellow was gone. The first words one of these fellows says was "they have taken the sons of bitches away". But he had the keys. It wasn't the first jail door he ever opened because he went through those doors, he beat it for the next door, they opened the door. As it was he didn't open the door where this crippled fellow was, somebody told him.

Q. Whom do you speak of by "the crippled fellow"? Mention the name. A. Boyd

Q. Boyd? A. Boyd. So they says, "show us where they are, we don't want to get the wrong men, show us where they are." Some fellow told me "open that door". I says, "I got no key

to open that door." He says, "I guess the key that opens this other will open this one". So they opened the door. He opened the door that led into the cell where Valento stood. When they opened the door this Valento started hollering "For God's sake" not to let them get him. When they got inside of the ward the cell door was still locked and the boys went out to work the levers to open that cell door and that took them some little time. All the time they was trying to open the door this fellow Valento was hollering for mercy, for somebody to try to save him.

Q. What do you call "some little time?" A. About 5 minutes.

Q. All this time, Mr. Robinson, you were stuck up by fellows with guns, you were perfectly powerless? A. Yes sir.

A fellow had an automatic gun pointed down close to my head most of the time. They got the door open. It was not long after they got it open they had Valento out there, and he was tied hand and foot. He had no time to holler after they got the rope on him because very soon they had a rag in his mouth to stop his hollering. Then they opened the next door and brought out Fittey, and he was no sooner out of the cell then his hollering was stopped by stopping his mouth and he was soon tied. Then they come down and commenced looking for this other fellow.

I says, "Don't take those fellows up stairs for there is nothing but about 15 innocent young fellows up there. You don't need to go up stairs, he must be down stairs, must be here some where." They went down and opened the other door and the fellow was laying inside on a cot. They opened that door and one of them

says,"Here is the skunk we are looking for", and they took hold of him and pulled him off of the cot, and there was a blanket on him, they pulled him right off, took hold of him and pulled him out. Some of the crowd says, "Well, get your men". Four fellows took hold of each man and they paraded out the door, and they went out, and left on 3rd street. When the crowd rushed out I went to the door. There was a man there with a rifle. He says "Just stay inside, Butch, everything is going all right." Well I stayed inside, and they immediately left the place and went up 3rd street. We sat around there for a while, and a few excited people came in. After the crowd went off and piled in the last machine and went up the street the crowd began to gather around. After probably half an hour's time Gus and myself took a ride out, after Charley Jacobs come back and told us they were all three hanging there under an oak tree out in the cemetary, side by each. So we went out and took a look at them. When we were out there they said they wanted someone to stay around there to see the bodies was not harmed until the Coroner arrived. I stayed there alongside of the undertaking wagon with Frank Bronson until Mr. Phillips arrived. We lowered the bodies down and put them in the wagon and accompanied them over to the undertaking parlor.

THE CORONER: Relative to that point I will make my statement to the effect I was called up at quarter past one this morning by the Courier, by Mr. Wood, who told me he understood the prisoners had been taken out of the jail and out into the cemetary and had been hung up to a tree. In this kind of cases

we want to be sure and I called up my deputy, Mr. Frank Welti, and he had not had a chance to call me up, he had just come from the Masonic Hall and he told me that he had heard that it was true, but as to knowing it, he was not sure, didn't know anything about it, was not in a position to say positively. I said what about the machines that are out there. He said there had been lots of machines coming back from the cemetary, I am told that they have hung the bodies up there. So I said I will be right up. I dressed as quickly as I could and I believe it was not any later than quarter to two I was up in town. I stopped at the jail. In the first place as I came into the jail, I met the Sheriff, John Boyes, Butch Robinson and Bob Dickson. I stopped in the jail and had a conversation with them relative to this matter; I said, "Have you lost your men"; they said "Yes, a gang came in; we were perfectly powerless." Mr. Boyes told me how the fellows had come in with masks and stuck him up with a gun and took the key away. He only had one key, and nobody else had a key, that they had taken the prisoners and had conducted them out to the cemetary and strung them up. Before I left town I had ordered a wagon so as not to delay the matter. The wagon was out there. when I got into town we went out and I put them down. The Sheriff was along with me. Butch Robinson and several others were along with me at the time. They were hung up all on one limb and the ropes of the three were wrapped around the tree and they were all hung up. I would say with hangman's knots. I am not very conversant with a hangman's knot but they all told me they were. I would have

to say that the man who did the job knew his business and made a good job. They hung there and we let them and down and put them in the ambulance and brought them in where they are at the present time, where you saw them. Now to verify this statement if there is any doubt in your minds -- I do not know whether you gentlemen have any -- I am going to pass a picture to you gentlemen, who have not seen it, so as to verify the statement. We want this thing thoroughly sifted down. We want you to be thoroughly satisfied. This picture I will pass among you people and you can see how they were hung up and all the circumstances. These people were perfectly helpless. And it would not have made any difference I do not believe in my own mind if there had been a hundred deputies in the jail the thing would have been carried on just the same and they would have been taken out absolutely just the same. Are there any questions you gentlemen would like to ask Mr. Robinson. I think he has told a very straightforward story. I am positive that his story is true and correct; I know him well, I know that this thing has been on his mind since Sunday as it has on mine and the rest of the officers in charge, the District Attorney and Sheriff Boyes and we have had a great deal to worry us. I want to say that the evidence he has given here is absolutely true and correct; I am positive about that. If there is any question you gentlemen on the inside of the railing acting as jurors would like to ask him, all right. if not, I am going to pass him along and say that is all, Mr. Robinson.

JUROR COCKRILL: Doctor, I don't want to ask Mr. Robinson

any questions. There was an answer he made there that I would like to have the Court Reporter get correctly.

THE CORONER: What is the answer.

JUROR COCKRILL: He said Mr. Jacobs, Charley Jacobs came in and told him those bodies were out there. He did not say how that happened to be. It might leave the wrong impression in the record as to Mr. Jacobs knowledge of it.

THE CORONER: I do not know how it could be.

JUROR COCKRILL: I happened to be with him. He testified Mr. Jacobs said they are all out there, they are all three hanging together.

A. He said they are all three hanging, he said, about this close together, held his three fingers down. He says Fits' tongue is out of his mouth a foot.

THE CORONER: That is all.

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Testimony of

JOHN M. BOYES

called as a witness, sworn:

THE CORONER: Q. What is your full name?

A. John M. Boyes.

Q. John M. Boyes, you are Sheriff of Sonoma County at the present time? A. Yes.

Q. Up until last Sunday you were employed as Deputy Sheriff here?

A. Yes sir.

Q. You have heard the statement of your deputy, Mr. Robinson, relative to going down to the Tuscano Hotel and those people

coming up from San Francisco and so forth and so on?

A. Yes sir.

Q. You know that to be true and correct? A. Well, I wasn't down there.

Q. You know from their statement that is correct?

A. Yes sir.

Q. From the evidence that has been produced you are satisfied?

A. Yes.

Q. You are satisfied from the evidence you have gathered who owned the gun? A. I am positive who owned the gun.

Q. Who was it? A. Terry Fitts.

Q. You have found out that some of the shells fit that gun, haven't you? A. Charles Valento bought the shells down here on 4th street.

Q. You are satisfied from the evidence and also from a confession they made who did the shooting, who shot the Sheriff?

A. Yes sir.

Q. James Petray and Miles Jackson and Lester Dorman?

A. Yes sir.

Q. Who confessed to the shooting? A. George Boyd.

Q. George Boyd. All right. You heard the Deputy, Mr. Robinson make a statement as to how a crowd of masked men came into the jail there this morning after 12 o'clock and stuck you up and the rest of the deputies there. How many deputies were there? A. Deputy Robinson, Jewett, Lin_ley, Joe Momin and Maynard Young. I am not positive that the other young man was there. I don't remember whether he was in there at that

time. I think he was inside. I was in the office.

Q. You did everything in your power to prevent any body being taken out of your custody? A. I did. I locked up the cells, they were thoroughly locked. I removed this Boyd from one place to another with a double lock on him, took the keys and locked them up so none of my deputies could find them. I had one key in my pocket, I had to have it. I was assured that these people, if it was a mob out there were going to send the leaders in to give me a chance to talk to them. I was satisfied I could convince them we had evidence enough to hang all three of them, if I could tell them the evidence we had.

Q. In other words, Mr. Sheriff, you had no chance at all. They came in there and you were unprepared. They came in and stuck you up with a gun, put you down in a chair and took the keys away from you. You hadn't any chance to protect anybody, had you? A. There was not one gun. I saw six. I don't know how many guns there were.

Q. Gun was sufficient? A. Yes, it would have been sufficient the way they came in.

Q. Any question you gentlemen would like to ask Sheriff Boyes? Anything you would like to tell these jurors relative to the affair, Sheriff Boyes, to tell them that you did everything possible in your efforts to keep those prisoners?

A. We did everything possible to keep them. When they came in there there was about 15 or 20 come in the front door and rushed on me, pulled a pistol on me; three or four grabbed me and took my gun off, shoved me back over a chair and asked me

for the keys. I told them I didn't have any. They said I knew where they were. One fellow says "search him"; he put his hand in my vest pocket, took out two or three dollars I had, put that back, said he didn't want that, went down into the other pocket pulled out the keys. The jail key was loose, never have had it on my ring, and it dropped on the floor. The other fellow that was searching me picked up the bunch and he run and left the other lay there. Somebody wanted to know what the small keys were. I told them they were for the jail. They wanted the keys. I said, "I haven't the keys." I was sitting in the chair like that, shoved me back over this way. One fellow punched me in the belly with the gun and said "You hand over the keys. You know where they are"; I says, "you fellows are making damn fools of yourselves here. I haven't any keys; you have got all the keys I have, you have taken them from me." They said, "Who has got them". I says, "I don't know who has got them." Somebody says, "come on." They left five men with me, if I remember right. They told me to get up, took me back in the rear office. I tried to phone in there as I tried to phone some fellow was in the punch who had a pair of nippers, he just cut the wire. he cut them, cut all the phones there. They took me in the back room, took me back there in the office. I grabbed the phone and they cut it loose. One fellow says, "sit down here and be still, we will not harm you." One big fellow did the talking.

Q. It did't require all five to hold you? A. No, they stayed there. I could hold myself right then. This big fellow

did the talking. He waited a little while. I heard a commotion in the rear, somebody begging for mercy, and all that. I says, "That sounds like Fitts". He says "Don't worry about that." A picture of Jim Petray was hanging up over the desk draped in mourning. He says, "We are doing this sort of thing to save you getting the same thing he got; just keep quiet." Well I didn't have anything to say. I sat there It was a very short time. I don't think they were in the building over eight or nine minutes. They went on around. Pretty soon I could see the people going by, couldn't see all of them, see the crowd going by, three or four standing in the door. As they all went out, the last fellow went out, the last fellow went out of the office where I was, he stood in the door. Pretty soon he said, "Well, we are going." He took the key and threw it over my head back over the other side of the wall. I got up and picked the key up and went on out. They was all outside at that time. I walked to the front and I says, "I wonder what the people did with my gun; did they take it away"? They said, "A fellow just going out just handed us the gun told me to give it to you as he went out." I stepped to the dor and by that time the machines were gone.

Q. They carried the prisoners out bodily? A. As far as I could see they went out in a row with them. It looked like they carried them from what I could see. I never got to see the prisoners at all.

THE CORONER: Any questions, gentlemen, you would like to ask? That is all.

JURROR: WASSERMAN: Q. How many men would you estimate were in that jail this morning? A. I couldn't say. between 50 and 75 I would judge.

ANOTHER JUROR: Q. All masked? A. The way it looked to me, all masked, except the ones I spoke of, us fellows in there, everybody else in there was masked. When they came in I plead with them and told them they didn't want to hang a man that was dying. I wanted them to let the law take its course. Joe MoMin said the same thing. They said they didn't have any time to fool around; they were there to do business. They says anyway, no use putting the County to all this expense, cost too much, we will take care of it better. I don't think you fellows have evidence enough to hang all of them; we will take care of it for you.

JUROR WASSERMAN: Q. You figure over 50 men were there? A. Yes. When I had come home I told my wife about it and she told me she counted 47 machines passing there, that is, coming down College Avenue.

THE CORONER: I might say, Mr. Wasserman, men are like guns on an occasion of that kind, they look double. That is all, Mr. Boyes.

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Testimony of

GEORGE W. MATHEWS

called as a witness, sworn:

THE CORONER: Q. Your name is what? A. George W. Mathews. Q. You heard Marvin Robinson, the Deputy Sheriff, testify here

as to going down after the three prisoners that they had in jail up to this morning? A. Yes.

Q. You know something of the circumstances as stated?

A. Yes, the same as he said.

Q. The same as Mr. Robinson testified? A. The same as Mr. Robinson said.

Q. The statement was true and correct? A. True and correct.

Q. There is not anything you can offer to change the testimony?

A. I don't know whether he told you or not we had been warned Fitts was carrying a gun.

Q. Isn't it a fact that this man Fitts had been a great annoyance in Santa Rosa? A. Yes, while he has been here, he has.

Q. Every time he has been here you have had trouble?

A. Yes.

Q. And always fear trouble? A. Yes.

Q. You have had him marked as a dangerous man, isn't that true?

A. The officers were instructed to pick him up. I had heard he was carrying a gun and he had held up one of the taxi drivers and forced him to drive him where he wanted to go. And this taxi driver was afraid to swear to any complaint, afraid Fitts would get him. I told the officers to lock him up, try and get him, when they found him to frisk him and bring him up and we would put a charge of carrying concealed weapons against him anyhow. The night before that I was down there looking for him but I couldn't locate him. He was out at the other place at that time.

Q. Cassassa's? A. Yes he was out there.

Q. In that neighborhood? A. Yes, so I accompanied the officers next day.

Q. You know he has served time? A. Yes sir.

Q. More than once? A. Yes sir.

Q. How many times? A. Two to my knowledge and one other.

Q. What was his crime, that he do to serve time? A. It was robbery,assault to commit robber or robbery. He beat a draw bridge tender in Marin County.

Q. Assault to murder? A. Assault to murder and robbery. Got 14 years for it.

Q. You know anything about the other two men. Valento?

A. None at all.

Q. Do you know anything about this man Boyd? A. No, stranger to me.

THE CORONER: This is all.

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Testimony of

MARVIN ROBINSON.

Recalled as a witness:

THE CORONER: Mr. Robinson, I want to have you testify here relative to Boyd's record as a convict and also Valento's record. Take Boyd. What have the officers informed you and what have you found out relative to him being a convict and how much time has he served and for what charge has he been in?

A. He has had a second term at Folsom for burglary. He has had

two terms at Folsom and they said they had a prior conviction at San Quentin. but the record from the identification bureau states that he is a two termer, second termer at Folsom for burglary. He was paroled the last time and I think he was released from Folsom in August, I think. I am not certain of that date. He is a second termer in Folsom.

Q. And Valento? A. Valento has a prison record too but I don't remember what it was.

Q. They are all ex-convicts? A. They are all ex-convicts.

Q. All pointed out by the chief of the Detective Bureau, Matheson in San Francisco as dangerous men, men that have no right to be at large, wasn't that the statement that Captain Matheson made to you? A. Well, Detective Sergeant Jackson when he came up that day he told is they were hard pills, all of them. He said they are bad men. They have all got a record. He said they are all ex-cons. He related the fact of Fittey getting him 6 years ago. He arrested him with 40-year Smith and Fittey had shot him through the shoulder. I told him "Be careful, Miles, when you get in there, don't let them fellows get you again; he has got that gun, he is likely to shoot." He said "He got me once but he will never get me again.

THE CORONER: That is all. Gentlemen, as I asked you before, I ask you again, if you would like to have any more testimony. If not, that is all the witnesses we have. I am perfectly satisfied you feel as contented as I do relative to the facts produced and also that we can speedily reach a

verdict in each of the cases.

This transcription of the original microfilm document was prepared by Sandra Wright Frary, Sonoma County Coroner's Archivist, 5/2012.